

REMARKS

Applicants appreciate the consideration of the present application afforded by the Examiner. Claims 1-6, 9, and 12-20 remain pending. Claims 1 and 15 are independent. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

Claim Rejections - 35 U.S.C. §103(a)

Claims 1-6, 9, 12-20 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 7,283,854 to Sato et al. ("Sato") in view of JP 2003-051872 to Iida ("Iida"). Applicants submit the Examiner has failed to establish a *prima facie* case of obviousness and traverse the rejection.

For a 35 U.S.C. § 103 rejection to be proper, a *prima facie* case of obviousness must be established. *See M.P.E.P. 2142*. One requirement to establish *prima facie* case of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. *See M.P.E.P. 2142; M.P.E.P. 706.02(j)*. Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

As in his prior rejection, the Examiner relies upon Sato to disclose a portable terminal device with a two-part housing with multiple displays. *See Figures 1A and 1B, refs. 7 and 11*. Sato discloses that one or more cameras (*refs. 8 and 10*) may be disposed on the portable terminal device. The Examiner concedes that Sato fails to teach or suggest the camera affixed as claimed in independent claims 1 and 15. *See Office Action, page 2, item 3*.

The Examiner relies upon the Iida reference to allegedly satisfy the deficiencies of Sato. Iida teaches a device body 10 with cameras 2L and 2R disposed on first and second bodies 10L and 10R respectively. The cameras appear to be rotatably fixed to the device body such that at least camera 2L may be disposed to face the opposite side of body 10L. *See Iida, Figures 6 and 7*. For example, camera 2L is supported by turn mechanism 25L to be rotatable from facing one side of the device to face the opposite side. However, claim 1 recites that "said camera is rigidly fixed to said main body... wherein an inclination angle of the optical axis with respect to the second surface does not change." Iida cannot teach at least this limitation of claim 1 at least

because the cameras 2L and 2R are rotatably attached to the device body by turn mechanisms 25L and 25R, respectively. Similarly with respect to claim 15, Iida cannot teach or suggest the limitation of “a camera for taking a picture, wherein said camera has an optical axis and is rigidly fixed to said main body first side and the second surface such that an inclination angle of said optical axis with respect to the second surface does not change”.

According to the features of the claimed invention, the present invention provides an image pick-up device which allows picture taking in a natural position at a reduced product cost and which easily achieves a compact structure without employing a complicated structure such as the turn mechanisms taught by Iida.

In this instance, as demonstrated above the combination of Sato and Iida fails to teach or suggest each and every limitation of independent claims 1 and 15. Dependent claims 2-6, 9, 12-14, and 16-20 are also distinguishable from the prior art at least due to their dependence from claims 1 and 15, directly or indirectly.

Therefore, Applicants submit that claims 1-6, 9, and 12-20 are patentable over Sato in view of Iida and respectfully request that the rejection of the claims under §103(a) be withdrawn.

CONCLUSION

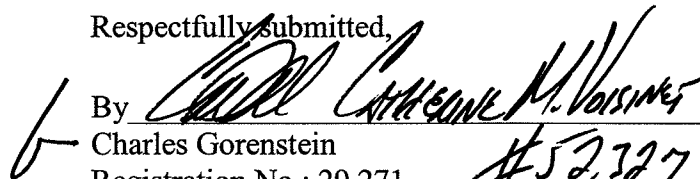
All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Notice of same is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John R. Sanders Reg. No. 60,166 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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